

S/N 09/673,555

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BENVENISTE ET AL. Examiner: S. CHUNDURU  
Serial No.: 09/673,555 Group Art Unit: 1637  
Filed: FEBRUARY 13, 2001 Docket No.: 9320.113USWO  
Title: AMPLIFICATION PROCESS OF THE FORMATION OF LIGAND-  
RECEPTOR COMPLEXES AND ITS USES

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on August 26, 2003.

By: Victoria Hansen  
Name:

TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, DIGIBIO S.A., a corporation organized and existing under the laws of France and having its primary place of business at 34, rue des Champs Elysees, 75008 Paris, France, represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 09/673,555, filed on February 13, 2001 and entitled AMPLIFICATION PROCESS OF THE FORMATION OF LIGAND-RECEPTOR COMPLEXES AND ITS USES, by virtue of our assignment recorded at Reel 011351, Frame(s) 0066.

Petitioner, DIGIBIO S.A., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,541,978 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,541,978, this agreement to run with any patent granted on the above-identified application and to be binding on the patent granted, its successors and assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6,541,978, in the event that United States Patent No. 6,541,978 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.


For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned (Applicants' attorney) is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
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Date: 8/26/03

  
\_\_\_\_\_  
John J. Bresens  
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JJG:AMN:PSTpmc

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**AUG 27 2003**  
**GROUP 1600**

**THE STATEMENT BELOW IS FOR OFFICE USE ONLY**

In accordance with the decision granting the petition filed on \_\_\_\_\_, \_\_\_\_\_,  
this terminal disclaimer is accepted. The period of patent lapse specified above has been  
accepted as equivalent to \_\_\_\_\_ months.

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Petitions Examiner